

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TEDDY MOORE,

Plaintiff,

- against -

T-MOBILE USA, INC.,

Defendant.  
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10 CV 00527 (SLT) (CLP)

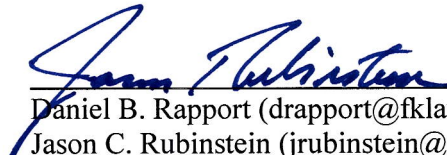
**NOTICE OF DEFENDANT  
T-MOBILE USA, INC.'S  
RENEWED MOTION  
PURSUANT TO RULE 56 TO  
COMPEL ARBITRATION**

**PLEASE TAKE NOTICE** that upon the accompanying Declaration of Jason C. Rubinstein, dated February 1, 2012, and the exhibits thereto, the accompanying Declaration of Andrea M. Baca, dated January 25, 2012, and the exhibits thereto, the accompanying Statement of Undisputed Facts Pursuant to Local Rule 56.1, dated February 1, 2012, and the accompanying Memorandum of Law, dated February 1, 2012, and upon all prior pleadings and proceedings in this action, defendant T-Mobile USA, Inc., by its undersigned attorneys, will move this Court, before the Honorable Sandra L. Townes, United States District Judge, at a date and time to be determined by this Court, at the United States Courthouse, located at 225 Cadman Plaza East, Brooklyn, New York 11201, for an Order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting its motion for summary judgment dismissing all claims against it and compelling their arbitration pursuant to the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.*, and for such other relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Court's scheduling order, dated January 17, 2012 (Dkt. No. 72), answering papers, if any, shall be served on or before February 29, 2012, and reply papers, if any, shall be served on or before March 9, 2012.

Dated: New York, New York  
February 1, 2012

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